

IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI
AT KANSAS CITY

Debra Olson

Plaintiff,

vs.

St. Luke's Hospital of Kansas City

Serve at:

Julie Quirin, Registered Agent

4401 Wornall Rd.

Kansas City, MO 64114

Defendant.

) 1016CV31901

) Case No.

) Division

18

FILED-CIRCUIT COURT
JACKSON CO MO-KC
2010 OCT 19 AM 9:38

PETITION

TJ - Employment Discrimination

COMES NOW Plaintiff Debra Olson, appearing by and through counsel, and for her claim against Defendant Saint Luke's Hospital of Kansas City states and alleges as follows:

PARTIES

1. Plaintiff Debra Olson (hereinafter "Plaintiff") is an individual resident of Kansas City, Jackson County, Missouri.
2. Defendant St. Luke's Hospital of Kansa City (hereinafter "St. Luke's") is a Missouri Non-Profit Corporation doing business in Jackson County, Missouri.

JURISDICTION AND VENUE

3. Jurisdiction lies in this Court in that Plaintiff's cause of action accrued in the State of Missouri.
4. Venue in this Court is appropriate in that Plaintiff's causes of action arise from acts that occurred in Kansas City, Jackson County, Missouri.

Exhibit 1

FACTUAL ALLEGATIONS COMMON TO ALL COUNTS

5. Plaintiff was hired to work for St. Luke's in October of 2007 and was terminated from her employment on October 5, 2009.
6. Throughout the course of her employment, Plaintiff suffered from orthopedic injuries to her neck and spine, cancer, occipital headaches, and other disabilities.
7. Throughout the course of her employment by Defendant St. Luke's, Plaintiff was disabled as defined by the Missouri Human Rights Act at §213.010 RSMo.
8. Throughout the course of her employment by Defendant St. Luke's, Plaintiff was capable of performing her assigned duties, if provided with reasonable accommodations for her disabilities, including a ergonomically correct workspace, a telephone cradle, an altered work schedule and other accommodations.
9. Throughout the course of her employment by Defendant St. Luke's, Plaintiff requested reasonable accommodations for her disabilities, including a physician ordered ergonomic alteration of her workspace, which were denied.
10. Defendant cited Plaintiff's "poor quality of work" as a pre-textual reason for the Plaintiff's termination.

COUNT 1: MISSOURI HUMAN RIGHTS ACT

11. Plaintiff filed a charge of discrimination alleging racial discrimination with the Missouri Commission on Human Rights on May 17, 2010.

12. The Missouri Commission on Human Rights issued Plaintiff a Notice of Right to Sue on July 21, 2010.
13. Plaintiff's disability was a contributing factor in St. Luke's decision to terminate Plaintiff's employment.
14. Defendant St. Luke's stated reasons for firing Plaintiff were pretextual.
15. The actions of Defendant in firing Plaintiff were willful, wanton, and in reckless disregard of Plaintiff's rights.
16. As a direct and proximate result of Defendant's decision to terminate her employment, Plaintiff suffered damages including, but not limited to, the following:
 - a. Lost wages and medical benefits;
 - b. Mental and emotional distress;
 - c. Damage to Plaintiff's reputation and future employment prospects;
 - d. Other damages, the nature and extent of which are not presently known.

WHEREFORE, Plaintiff Debra Olson prays for judgment against Defendant in an amount in excess of \$25,000.00 that is fair and reasonable; for punitive damages sufficient to punish and deter Defendants and others from like conduct; for the costs incurred in this litigation; for attorneys' fees; and for such other or further relief as may be just and proper in the circumstances.

Respectfully Submitted,

CASTLE LAW OFFICE

Mark E. Meyer #51786
Andrew C. Schendel #61186
818 Grand Blvd, Suite 700
Kansas City, Missouri 64106
(816) 283-0303 phone
(816) 842-0016 facsimile
mmeyer@castlelaw-kc.com
aschendel@castlelaw-kc.com
ATTORNEYS FOR PLAINTIFF



JEREMIAH W. (JAY) NIXON
GOVERNOR

MISSOURI DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS MISSOURI COMMISSION ON HUMAN RIGHTS

LAWRENCE G. REBMAN
DEPARTMENT DIRECTOR

ALVIN CARTER
COMMISSION CHAIRPERSON



ALISA WARREN
EXECUTIVE DIRECTOR

Debra Olson
10456 Wornall
Kansas City, MO 64114

NOTICE OF RIGHT TO SUE

RE: Debra Olson vs. SAINT LUKE'S HOSPITAL OF KANSAS CITY
E-05/10-37806 28E-2010-01322C

The Missouri Commission on Human Rights (MCHR) is terminating its proceedings and issuing this notice of your right to sue under the Missouri Human Rights Act because you have requested a notice of your right to sue.

This letter indicates your right to bring a civil action within 90 days of this notice against the respondent(s) named in the complaint. Such an action may be brought in any circuit court in any county in which the unlawful discriminatory practice is alleged to have occurred but it must be brought no later than two years after the alleged cause occurred or its reasonable discovery. Upon issuance of this notice, the MCHR is terminating all proceedings relating to the complaint. No person may file or reinstate a complaint with the MCHR after the issuance of a notice of right to sue relating to the same practice or act. You are hereby notified of your right to sue the Respondent(s) named in your complaint in state circuit court. **THIS MUST BE DONE WITHIN 90 DAYS OF THE DATE OF THIS NOTICE OR YOUR RIGHT TO SUE IS LOST.**

You are also notified that the Executive Director is hereby administratively closing this case and terminating all MCHR proceedings relating to it. This notice of right to sue has no effect on the suit-filing period for any federal claims.

On behalf of the Commission:

Terry Old
Information Support Coordinator
Terry.Old@labor.mo.gov

July 21, 2010
Date

SAINT LUKE'S HOSPITAL OF KANSAS CITY
4400 Wornall Rd,
Kansas City, MO 64114

Mark E. Meyer
818 Grand Blvd., Suite 700,
Kansas City, MO 64106



3315 W. TRUMAN BLVD.
P.O. Box 1129
JEFFERSON CITY, MO 65102-1129
PHONE: 573-751-3325
FAX: 573-751-2905



111 N. 7TH STREET, SUITE 903
ST. LOUIS, MO 63101-2100
PHONE: 314-340-7590
FAX: 314-340-7238



P.O. Box 1300
OZARK, MO 65721-1300
FAX: 417-485-6024



1410 GENESSEE, SUITE 260
KANSAS CITY, MO 64102
FAX: 816-889-3582



106 ARTHUR STREET
SUITE D
SIKESTON, MO 63801-5454
FAX: 573-472-5321

Relay Missouri: 1-800-735-2966 (TDD) 1-800-735-2466 (Voice)
www.labor.mo.gov/hr mchr@labor.mo.gov